

Xerox

DIVISION C

District of Columbia Appropriations, 2003

In implementing this agreement, the Departments and agencies should comply with the language and instructions set forth in House Report 107-716 and the Senate explanatory statement as delineated in the Congressional Record of January 15, 2003, pages S469 through S492, that are not changed by the conference are approved by the committee of conference.

In the case where the language and instructions specifically address the allocation of funds, the Departments and agencies are to follow the funding levels specified in the Congressional budget justifications accompanying the fiscal year 2003 budget or the underlying authorizing statute and should give full consideration to all items, including items allocating specific funding included in the House report and the Senate explanatory statement. With respect to the provisions in the House report and the Senate explanatory statement that specifically allocate funds, each has been reviewed and those which are jointly concurred in have been included in this joint statement.

A summary chart appears later in this statement showing the Federal appropriations by account and the allocation of District funds by agency or office

~~Under each appropriation,~~ the fiscal year 2003 request, the House and Senate recommendations, and the conference allowance.

The District of Columbia Appropriations Act, 2003, put in place by this bill, incorporates the following agreements of the managers:

TITLE I – FEDERAL FUNDS

FEDERAL PAYMENT FOR RESIDENT TUITION SUPPORT

The conference agreement includes \$17,000,000 for a Federal payment for resident tuition support as proposed by both the House and Senate.

Language was included in the District of Columbia Appropriations Act, 2002 requiring the Resident Tuition Support Program Office and the Office of the Chief Financial Officer to provide quarterly reports to the Committees on Appropriations of the House of Representatives and Senate on the use of resident tuition support funds by object class. The conferees are concerned that these reports have not been forthcoming. The conferees have included this reporting requirement again in the fiscal year 2003 appropriations bill and expect the Chief Financial Officer to submit these reports in a timely manner. The conferees request that the Chief Financial Officer include with the quarterly report due March 31, 2003, a second report reviewing the program, by quarter and in summary, since its inception.

FEDERAL PAYMENT FOR EMERGENCY PLANNING AND SECURITY COSTS IN THE

DISTRICT OF COLUMBIA

The conference agreement includes \$15,000,000 for a Federal payment for emergency planning and security costs in the District of Columbia as proposed by both the House and Senate. These funds are to reimburse the District for overtime expenses related to providing security at events related to Federal government activities and for costs of providing support to respond to immediate and specific terrorist threats or attacks in the District of Columbia.

The agreement includes a provision as proposed by the House to provide that this funding is available only after notice of its proposed use has been transmitted by the President to the Congress and such amount has been apportioned pursuant to chapter 15 of title 31, U.S.C. The Senate bill included a provision to require the Chief Financial Officer to submit a report, within 15 days of an expenditure, to the President and the Committees on Appropriations of the House of Representatives and Senate detailing the expenditure of funds for public safety purposes.

The agreement also includes a modified provision to require that the Office of Management and Budget, in consultation with the United States Park Police, National Park Service, Secret Service, Federal Bureau of Investigation, United States Protective Service, Department of State, and the General Services Administration, review the National Capital Planning Commission study on [^]Designing for Security in the Nation's Capital[^] and report on the steps each agency

will take to improve the ^{arsthetic} appearance of security measures no later than April 11, 2003. The Senate bill included a similar provision, but required the report no later than February 5, 2003. The House had no similar provision.

FEDERAL PAYMENT FOR HOSPITAL BIOTERRORISM PREPAREDNESS IN THE DISTRICT OF
COLUMBIA

The conference agreement includes \$10,000,000 for a Federal payment for hospital bioterrorism preparedness in the District of Columbia as proposed by the Senate. The House had no similar provision. Of this amount, \$5,000,000 is for the expansion of quarantine facilities and the establishment of a decontamination facility at Children's National Medical Center and \$5,000,000 is for construction of containment facilities at the Washington Hospital Center.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA COURTS

The conference agreement includes \$161,943,000 for a Federal payment to the District of Columbia courts, instead of \$160,545,000 as proposed by the House, and \$166,193,000 as proposed by the Senate. Included in this amount is \$1,500,000 above the President's request for the Integrated Justice Information System as proposed by both the House and Senate.

The agreement includes a provision as proposed by the Senate to allow the District of Columbia courts to reallocate not more than \$1,000,000 of the funds provided under this heading among items and entities funded under this heading 30

days after providing written notification to the Committees on Appropriations of the House of Representatives and Senate. The House had no similar provision.

The agreement also includes a provision ~~as proposed by the Senate to~~ exempt the District of Columbia courts from violating section 446 of the District of Columbia Home Rule Act or any provision of subchapter III of chapter 13 of title 31, United States Code, on the use of interest earned on the Federal payment provided in the 1998 appropriations Act during fiscal year 1998. The House had no similar provision.

The conference agreement does not include funding or contract authority for guardian ad litem representation as proposed by the Senate under this heading. The House had no similar provisions. These provisions are addressed under Defender Services.

DEFENDER SERVICES IN DISTRICT OF COLUMBIA COURTS

The conference agreement includes \$17,100,000 for Defender Services in District of Columbia courts. In addition, the conferees direct Defender Services to use \$16,400,000 of unobligated balances to provide a total program level of \$33,500,000, instead of \$32,000,000 as proposed by the House, and \$34,000,000 as proposed by the Senate. Defender Services is currently carrying an unobligated balance of \$20,673,000. The conferees understand that costs in this program have historically been difficult to predict and there is a need to carryover some

unobligated balances from year to year to ensure adequate financing of representation for vulnerable children and families and indigent defendants. However, the conferees believe the courts need to develop a better way of tracking these costs and request a preliminary report on how to achieve this goal no later than April 30, 2003.

The conference agreement includes \$1,500,000 to provide guardians ad litem to abused and neglected children in the District of Columbia Family Court. The agreement also includes language to allow the courts to enter into contractual agreements to provide guardian ad litem representation, training, technical assistance, and/or other services to improve the quality of guardian ad litem representation, including infrastructure development, as necessary. The conferees urge the courts to enter into these agreements with entities that have expertise in representing abused and neglected children, child welfare, adoption, guardianship, special education, and domestic violence.

The agreement does not include a provision as proposed by the House to allow unobligated funds from previous years to be used toward the portion of the amount under this heading which is attributable to increases in the maximum amounts which may be paid for representation services in the District of Columbia courts. The Senate bill contained no similar provision.

The agreement does not include a provision as proposed by the Senate to provide an increase in the hourly rate of defender services attorneys from \$65 per hour to \$75 per hour in fiscal year 2003 and from \$75 per hour to \$90 per hour in fiscal year 2004. The House contained no similar provision.

FEDERAL PAYMENT TO THE COURT SERVICES AND OFFENDER SUPERVISION AGENCY

FOR THE DISTRICT OF COLUMBIA

The conference agreement includes \$154,707,000 for a Federal payment to the court services and offender supervision agency for the District of Columbia as proposed by both the House and Senate

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA DEPARTMENT OF

TRANSPORTATION

The conference agreement includes \$1,000,000 for a Federal payment to the District of Columbia Department of Transportation as proposed by both the House and Senate.

FEDERAL PAYMENT TO THE CHIEF FINANCIAL OFFICER OF THE DISTRICT OF COLUMBIA

The conference agreement includes \$40,300,000 for a Federal payment to the chief financial officer of the District of Columbia, instead of \$23,450,000 as proposed by the House, and \$15,000,000 as proposed by the Senate. These funds are for programs and activities to support economic development and infrastructure in the District and the health, education, and job training needs of District residents

and are to be allocated as follows: \$50,000 for the American University Women & Politics Institute to contribute to the annual National Education for Women Leadership D.C. Program; \$100,000 for Project Reality to implement the Game Plan abstinence education program in the District of Columbia public schools; \$100,000 to Friends of Fort Dupont to restore and upgrade unused Fort Dupont baseball fields; \$100,000 to the Association for the Preservation of Historic Congressional Cemetery for repairs and renovations, including the cemetery's fence and the Public Vault; \$150,000 to the Capital Children's Museum to conduct a feasibility study of the proposed southwest waterfront site for a relocated museum in Washington, D.C.; \$150,000 for KidBiz 3000 for a reading comprehension, fluency, and vocabulary program; \$200,000 to the National Maritime Heritage Foundation to establish the National Maritime Heritage Program to create maritime education focused on youth training and tourism promotion initiatives in Washington, D.C.; \$250,000 for Values First, Inc. to continue to implement a values infusion program in the District of Columbia public schools; \$250,000 to the Best Friends Foundation to provide a youth development program to District of Columbia youth; \$250,000 to the National Music Center and Museum Foundation for a program to use the performing and visual arts as teaching and learning tools in the District of Columbia Public Education System; \$250,000 to the National Council of Negro Women, Inc. for

renovations at 633 Pennsylvania Avenue; \$250,000 for the Washington Opera Education and Community Program to enhance classroom learning in District of Columbia Public Schools through music education and with the D.C. Arts Humanities Education Collaborative; \$250,000 for the Washington Lab School to continue the development of methodologies for teaching individuals with learning disabilities; \$250,000 for the Congressional Glaucoma Caucus Foundation to provide glaucoma screenings in low-income District of Columbia neighborhoods; \$250,000 for the Perry School Community Services Center to expand its job and career training programs to poor individuals in the District; \$275,000 for the DC Safe Kids Coalition to provide a child occupant protection program and to operate a child safety seat fitting station; \$300,000 to the International Youth Service and Development Corps for the Washington, D.C. Mentoring Friends Program and the People's House Hotline; \$300,000 to the Public Access Corporation of the District of Columbia for the Future Producers Program; \$300,000 to the Criminal Justice Coordinating Council for the District of Columbia; \$300,000 for the Washington Jesuit Academy to provide hardware and software to equip the Technology Innovation and Learning Lab; \$350,000 to the National Center for Manufacturing Sciences for a partnership with the Excel Institute to develop a job training program for District residents; \$400,000 to the Excel Institute Adult Education Program for construction; \$400,000 for the Close-Up Foundation Capital

Connection Program to provide a multi-year civic education residential program for 10th grade students in District of Columbia Public Schools; \$400,000 for Teach for America, DC, to recruit and train qualified college graduates to teach in understaffed and low-performing schools; \$500,000 to the Historical Society of Washington for capital improvements to the City Museum; \$500,000 to the United Negro College Fund Special Programs for a study on how the District of Columbia Public School System could improve the educational performance and achievement of its students; \$500,000 to the American Cities Foundation to collect national data and disseminate information to District entities on innovative approaches to the delivery of K-12 education; \$500,000 to the Innovative Emergency Management, Inc. to assist the Emergency Management Office in developing an evacuation plan for the District of Columbia; \$500,000 to the University of New Orleans Center for Hazards Assessment and the George Washington University Institute for Crisis, Disaster and Risk Management to assist the District in city security and emergency preparedness; \$500,000 to the Capitol City Career Development and Training Partnership to provide job training and career development services to District residents; \$500,000 to the Washington Center on Best Practices for assistance to and promotion of early education awareness programs; \$500,000 to the Caribbean American Mission for Education Research and Action to support the Mission's efforts to build linkages between

Caribbean educational entities and District of Columbia and other regional higher education institutions for the purposes of sharing of U.S. expertise in educational methodologies; \$500,000 for Community Youth Connection to expand its mentoring to disadvantaged students; \$500,000 to the Metropolitan Council of Governments' District of Columbia Area Housing Trust Fund for development, rehabilitation, and construction of affordable housing in the Washington region; \$500,000 to the Milton Eisenhower Foundation to expand the Carver Terrace initiative and add another safe-haven mini-station in the District; \$500,000 to the Good Samaritan Foundation to acquire and renovate a building to expand outreach and mentoring services to at-risk District of Columbia youths; \$500,000 to Reach for Tomorrow to support a program that takes a multi-dimensional approach to working with middle school students in the District of Columbia; \$500,000 to the District of Columbia Metropolitan Police Department for Secures demonstration project with the Washington, D.C. Metropolitan Police Department to evaluate the effectiveness and technical utility of an automated gunshot detection system; \$500,000 to the Institute for Responsible Fatherhood to expand capacity to provide home-based counseling, education, training, and related services to low-income fathers and their families; \$600,000 to Second Chance Employment Services to increase capacity to provide additional job training opportunities for at-risk and low-income women in the District of Columbia; \$1,000,000 to Real World Schools

to further develop and implement advanced technology curriculum models and learning reforms for secondary education in the District of Columbia Public Schools; \$1,000,000 to the Whitman-Walker Clinic for infrastructure improvements; \$1,000,000 to the Metropolitan Washington Council of Governments to support the Regional Incident Communication and Coordination System; \$1,000,000 to the Council of Court Excellence to continue ongoing independent oversight, which will include an annual report to Congress on implementation of the District of Columbia Family Court Act of 2000 and the Adoption and Safe Families Act of 1997; \$1,000,000 to Green Door to renovate its clinic and community center to provide additional services to District of Columbia residents with severe mental illnesses; \$1,000,000 to continue demonstration of the "Active Cap" river cleanup technology on the Anacostia River which immobilizes river sediment contaminants and treats them in place; \$1,225,000 to Covenant House for construction of a new Community Service Center at Covenant House in S.E. Washington, D.C.; \$1,250,000 to the Excel Institute for operations in equal quarterly installments within 15 days of the beginning of each quarter; \$2,000,000 to the National Center for Manufacturing Sciences for civil infrastructure vulnerability assessment and implementation of resulting protection profiles; \$2,000,000 for Voyager Expanded Learning to implement the Voyager Universal Literacy System throughout all District of Columbia Public School kindergarten

and 1st grade classes; \$2,000,000 to the SEED Foundation Charter School, the only urban public boarding school in the nation, for construction of the Academic Center; \$2,000,000 to St. Coletta of Greater Washington, Inc. for property acquisition and construction of a facility to provide services for mentally retarded and multiple-handicapped adolescents and adults in the District of Columbia; \$2,350,000 to the National Trust for Historic Preservation to restore the Lincoln Cottage and to create interpretive programs and exhibits at the site; \$2,500,000 to the Canal Park Development Association for development of a park on 2 Street between I Street and M Street in Southeast Washington; and \$5,000,000 to Children's National Medical Center in the District of Columbia for capital and equipment improvements.

The conference agreement includes a modified provision to require each entity that receives funding under this heading to submit to the Committees on Appropriations of the House of Representatives and Senate, a report on the activities carried out with such funds by April 30, 2003. The House had a similar provision, but required the report no later than February 15, 2003. The Senate bill contained no similar provision.

FEDERAL PAYMENT FOR WATERFRONT IMPROVEMENTS

The conference agreement includes \$2,800,000 to continue improvements on the historic Potomac Southwest Waterfront, including rebuilding the docks,

instead of \$1,000,000 as proposed by the House. The Senate bill contained no similar provision.

The agreement also requires the District of Columbia Department of Housing and Community Development to report on the activities carried out with these funds by April 30, 2003. The House had a similar provision, but required the report no later than February 15, 2003. The Senate bill contained no similar provision.

FEDERAL PAYMENT FOR ASBESTOS REMEDIATION

The conference agreement includes \$1,000,000 to reimburse Fairfax County, Virginia for remediation of asbestos on the former site of the Lorton Correctional Complex as proposed by the House. The Senate bill contained no similar provision.

The agreement also requires the General Services Administration to report on the activities carried out with these funds by April 30, 2003. The House had a similar provision, but required the report no later than February 15, 2003. The Senate bill contained no similar provision.

FEDERAL PAYMENT TO THE FIRE AND EMERGENCY MEDICAL SERVICES DEPARTMENT

The conference agreement includes \$2,000,000 to repair, renovate, and rehabilitate fire stations in need of capital improvements as proposed by the House. The Senate bill contained no similar provision.

The agreement also requires the District of Columbia Fire and Emergency Medical Services Department to report on the activities carried out with these funds by April 30, 2003. The House had a similar provision, but required the report no later than February 15, 2003. The Senate bill contained no similar provision.

FEDERAL PAYMENT FOR SPECIAL EDUCATION

The conference agreement includes \$3,000,000 to establish special education satellite facilities in the District of Columbia. The House proposed \$14,000,000 for a Federal payment for special education, including \$5,000,000 for transportation services and \$9,000,000 for satellite facilities. The Senate bill contained no similar provision.

The conferees are concerned about the increasing costs of delivering services to special education students. Several factors are responsible for these increases, many of which are interrelated, such as the increase in the special education population and the number of non-public placements. The conferees commend the Mayor and the Board of Education for their efforts to begin to reform the special education system in the District. A Special Education Task Force that was recently established has adopted and presented to the Mayor a Special Education Cost Savings Plan that has been certified by the Chief Financial Officer. The conferees are supportive of these efforts and concur with the

District's fiscal year 2003 budget submission to dedicate \$27,000,000 in local funds for special education reform. In addition, the conferees provide \$3,000,000 in Federal funds to create additional campuses that will provide all special education students who live in the District with the opportunity to receive a public education in their own city. The conferees will continue to monitor the efforts of the District to reform the special education system.

FEDERAL PAYMENT FOR THE FAMILY LITERACY PROGRAM

The conference agreement includes \$4,000,000 for the family literacy program as proposed by the Senate, instead of \$5,000,000 as proposed by the House.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA WATER AND SEWER AUTHORITY

The conference agreement includes \$50,000,000 for a Federal payment to the District of Columbia Water and Sewer Authority for the Combined Sewer Overflow Long-Term Plan, as proposed by both the House and Senate. The agreement also includes a provision that the Water and Sewer Authority provide a 100 percent match for the fiscal year 2003 Federal contribution, as proposed by the Senate. The House had a similar provision, but required the match to be made in fiscal year 2003.

FEDERAL PAYMENT FOR THE ANACOSTIA WATERFRONT INITIATIVE IN THE DISTRICT OF

COLUMBIA

The conference agreement includes \$5,000,000 for implementation of the Anacostia Waterfront Initiative as proposed by the Senate. The House had no similar provision.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA FOR CAPITAL DEVELOPMENT

The conference agreement includes \$10,150,000 for a Federal payment to the District of Columbia for capital development, instead of \$24,298,000 as proposed by the House, and \$13,100,000 as proposed by the Senate. Included in this amount is \$150,000 for renovations at Eastern Market as proposed by the House, instead of \$100,000 as proposed by the Senate. Also included in this amount is \$10,000,000 for the Unified Communications Center as proposed by the Senate, instead of \$19,148,000 as proposed by the House.

The agreement does not include funding for the forensic laboratory. The House had \$5,000,000 and the Senate bill contained \$3,000,000 for this project. The District estimates the total cost of construction to be \$75,000,000 over three years. The conferees note that the District's capital budget does not include local funding dedicated to this project. While the conferees are supportive of the project, there are not sufficient Federal funds available for it in fiscal year 2003.

The conference agreement includes a provision to make these funds available until expended as proposed by the House. The Senate bill contained no similar provision.

FEDERAL PAYMENT TO THE DISTRICT OF COLUMBIA FOR PUBLIC CHARTER SCHOOL

FACILITIES

The conference agreement includes \$17,000,000 for a Federal payment to the District of Columbia for development of public charter school facilities, instead of \$16,000,000 as proposed by the House, and \$20,000,000 as proposed by the Senate. Included in this amount is \$4,000,000 to supplement the per pupil facilities allocation, \$5,000,000 for the Direct Loan Fund for Charter School Improvement, and \$8,000,000 for the Credit Enhancement Revolving Fund. The House provided \$16,000,000 for the Credit Enhancement Revolving Fund while the Senate bill included \$1,000,000 for the Office of Charter School Financing and Support, \$4,000,000 for the Per Pupil Allocation, \$5,000,000 for the Credit Enhancement Fund for Public Charter Schools, and \$10,000,000 for the Direct Loan Fund for Charter School Improvement. The per pupil facilities allocation will establish a minimum allocation of \$1,500 per charter school pupil.

TITLE II – DISTRICT OF COLUMBIA FUNDS

OPERATING EXPENSES

DIVISION OF EXPENSES

The conference agreement provides that operating expenses for the District of Columbia for fiscal year 2003 shall not exceed \$6,394,522,000, of which \$1,712,498,000 is from Federal funds, instead of \$6,434,709,000, of which

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\$1,770,948,000 is from Federal funds as proposed by the House, and \$6,433,359,000, of which \$1,824,578,000 is from Federal funds, as proposed by the Senate. The changes in the amounts reflect the revised budget submitted pursuant to Sec. 138 of H.R. 5521 of the 107th Congress, as reported by the Committee on Appropriations of the House of Representatives and actions taken by the conferees in the funding levels under the various appropriation headings.

GOVERNMENTAL DIRECTION AND SUPPORT

The conference agreement includes \$307,173,000 for governmental direction and support, including \$207,971,000 from local funds, \$80,854,000 from Federal funds, and \$18,348,000 from other funds, instead of \$303,586,000, including \$225,234,000 from local funds, \$60,004,000 from Federal funds, and \$18,348,000 from other funds as proposed by the House, and \$295,136,000, including \$225,234,000 from local funds, \$51,554,000 from Federal funds, and \$18,348,000 from other funds as proposed by the Senate.

Office of the Mayor – The conference agreement includes \$4,000,000 from Federal funds appropriated earlier in this Act for the family literacy program.

Office of the Chief Financial Officer - The conference agreement includes \$40,300,000 from Federal funds appropriated earlier in this Act for programs and activities to support economic development and infrastructure in the District and the health, education, and job training needs of District residents.

ECONOMIC DEVELOPMENT AND REGULATION

The conference agreement includes \$244,358,000 for economic development and support, including \$56,872,000 from local funds, \$97,796,000 from Federal funds, and \$89,690,000 from other funds, instead of \$258,539,000, including \$64,553,000 from local funds, \$97,796,000 from Federal funds, and \$96,190,000 from other funds as proposed by both the House and Senate.

The conference agreement earmarks \$725,000 for the Development of Employment Services as proposed by the House, instead of \$725,400 as proposed by the Senate.

PUBLIC SAFETY AND JUSTICE

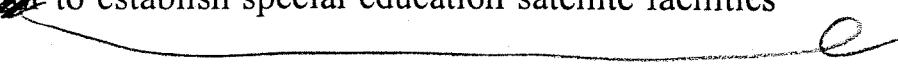
The conference agreement includes \$622,531,000 for public safety and justice, including \$602,678,000 from local funds, \$11,329,000 from Federal funds, and \$8,524,000 from other funds, instead of \$639,892,000, including \$620,039,000 from local funds, \$11,329,000 from Federal funds, and \$8,524,000 from other funds as proposed by both the House and Senate.

PUBLIC EDUCATION SYSTEM

The conference agreement includes \$1,206,169,000 for the public education system, including \$939,174,000 from local funds, \$208,470,000 from Federal funds, \$31,525,000 from other funds, and \$27,000,000 from the Medicaid and Special Education Reform Fund, instead of \$1,257,201,000, including

\$980,206,000 from local funds, \$218,470,000 from Federal funds, \$31,525,000 from other funds, and \$27,000,000 from the Medicaid and Special Education Reform Fund as proposed by the House, and \$1,220,201,000, including \$980,206,000 from local funds, \$208,870,000 from Federal funds, and \$31,525,000 from other funds as proposed by the Senate.

District of Columbia Public Schools – The allocation includes \$902,936,000 for District of Columbia public schools, including \$713,494,000 from local funds, \$150,800,000 from Federal funds, \$11,642,000 from other funds, and \$27,000,000 from the Medicaid and Special Education Reform Fund, instead of \$944,157,000, including \$743,715,000 from local funds, \$161,800,000 from Federal funds, \$11,642,000 from other funds, and \$27,000,000 from the Medicaid and Special Education Reform Fund as proposed by the House, and \$903,157,000, including \$743,715,000 from local funds, \$147,800,000 from Federal funds, and \$11,642,000 from other funds as proposed by the Senate.

The conference agreement includes \$3,000,000 from Federal funds appropriated earlier in this Act ~~for~~ to establish special education satellite facilities in the District of Columbia. 

State Education Office – The allocation includes \$49,687,000 for the State education office, including \$22,594,000 from local funds, \$26,917,000 from

Federal funds, and \$176,000 from other funds as proposed by both the House and Senate.

District of Columbia Public Charter Schools – The allocation includes \$142,711,000 for District of Columbia public charter schools, including \$125,711,000 from local funds and \$17,000,000 from Federal funds, instead of \$148,865,000, including \$132,865,000 from local funds and \$16,000,000 from Federal funds as proposed by the House, and \$132,865,000 from local funds as proposed by the Senate.

The conference agreement includes \$17,000,000 from Federal funds appropriated earlier in this Act for public charter school facilities development.

University of the District of Columbia – The allocation includes \$81,180,000 for the University of the District of Columbia, including \$49,462,000 from local funds, \$12,668,000 from Federal funds, and \$19,050,000 from other funds, instead of \$83,990,000, including \$52,272,000 from local funds, \$12,668,000 from Federal funds, and \$19,050,000 from other funds as proposed by both the House and Senate.

District of Columbia Public Libraries – The allocation includes \$27,363,000 for District of Columbia public libraries, including \$26,216,000 from local funds, \$610,000 from Federal funds, and \$537,000 from other funds, instead of

\$28,150,000, including \$27,003,000 from local funds, \$610,000 from Federal funds, and \$537,000 from other funds as proposed by both the House and Senate.

Commission on the Arts and Humanities – The allocation includes \$2,292,000 for the commission on the arts and humanities, including \$1,697,000 from local funds, \$475,000 from Federal funds, and \$120,000 from other funds, instead of \$2,352,000, including \$1,757,000 from local funds, \$475,000 from Federal funds, and \$120,000 from other funds as proposed by both the House and Senate.

HUMAN SUPPORT SERVICES

(INCLUDING TRANSFER OF FUNDS)

The conference agreement includes \$2,451,818,000 for human services, including \$1,002,284,000 from local funds, \$1,373,680,000 from Federal funds, \$52,987,000 from other funds, and \$22,867,000 from the Medicaid and Special Education Reform Fund, instead of \$2,474,297,000, including \$1,019,763,000 from local funds, \$1,378,680,000 from Federal funds, \$52,987,000 from other funds, and \$22,867,000 from the Medicaid and Special Education Reform Fund as proposed by the House, and \$2,500,297,000, including \$1,069,630,000 from local funds, \$1,377,680,000 from Federal funds, and \$52,987,000 from other funds as proposed by the Senate.

PUBLIC WORKS

The conference agreement includes \$320,357,000 for public works, including \$304,363,000 from local funds, \$5,669,000 from Federal funds, and \$10,325,000 from other funds, instead of \$324,828,000, including \$309,824,000 from local funds, \$4,669,000 from Federal funds, and \$10,325,000 from other funds as proposed by both the House and Senate.

The conference agreement includes \$1,000,000 from Federal funds appropriated earlier in this Act to implement transportation systems management initiatives and strategies.

RESERVE

The conference agreement includes \$70,000,000 for the reserve from local funds as proposed by both the House and Senate.

REPAYMENT OF LOANS AND INTEREST

The conference agreement includes \$260,951,000 for repayment of loans and interest from local funds, instead of \$267,451,000 from local funds as proposed by both the House and Senate.

REPAYMENT OF GENERAL FUND RECOVERY DEBT

The conference agreement includes \$39,300,000 for repayment of general fund recovery debt from local funds as proposed by both the House and Senate.

PAYMENT OF INTEREST ON SHORT-TERM BORROWING

7 enclosed

The conference agreement includes \$1,000,000 for payment on short-term borrowing from local funds as proposed by both the House and Senate.

CERTIFICATES OF PARTICIPATION

The conference agreement includes \$7,950,000 for certificates of participation from local funds as proposed by both the House and Senate.

SETTLEMENTS AND JUDGMENTS

The conference agreement includes \$22,822,000 for settlements and judgments from local funds as proposed by both the House and Senate.

WILSON BUILDING

The conference agreement includes \$4,194,000 for the Wilson building from local funds as proposed by both the House and Senate.

WORKFORCE INVESTMENTS

The conference agreement includes \$48,186,000 for workforce investments from local funds, instead of \$54,186,000 from local funds as proposed by both the House and Senate.

TOBACCO SETTLEMENT TRUST FUND

The conference agreement includes \$10,000,000 for the tobacco settlement trust fund from local funds as proposed by the House. The Senate bill contained a similar provision.

In November 1998, the District, 46 state governments and other jurisdictions signed the agreement, ending a four-year battle over medical treatment costs incurred for smoking-related illnesses. Under the settlement, the tobacco companies are scheduled to pay \$253 billion over 25 or more years. The receiving governments may use the funds for any purpose including issuance of revenue bonds.

In fiscal year 2001, the District securitized its settlement payments in exchange for a lump-sum payment to repay existing long-term debt and thereby generating relief from that debt service. In fiscal year 2003, \$49,867,430 in savings will be achieved. Of this amount \$49,867,000 will be placed into the District's Medicaid and Special Education Reform fund established by D.C. Law 14-190. These funds shall remain available until expended. From this fund, \$27,000,000 will be made available to the District's Public Education System and \$22,867,000 will be made available to the District's Human Support Services support services to fund Medicaid and special education reform activities within the district. These funds will ensure that adequate resources are available to support District-wide Medicaid costs.

NON-DEPARTMENTAL AGENCY

The conference agreement includes \$5,799,000 for the non-Department agency from local funds as proposed by both the House and Senate.

EMERGENCY PLANNING AND SECURITY COSTS

The conference agreement includes \$15,000,000 for emergency planning and security costs from Federal funds appropriated earlier in this Act as proposed by both the House and Senate.

ENTERPRISE AND OTHER FUNDS

WATER AND SEWER AUTHORITY

The conference agreement includes \$253,743,000 for the water and sewer authority from other funds as proposed by both the House and Senate.

WASHINGTON AQUEDUCT

The conference agreement includes \$57,847,000 for the Washington aqueduct from other funds as proposed by both the House and Senate.

STORMWATER PERMIT COMPLIANCE ENTERPRISE FUND

The conference agreement includes \$3,100,000 for the stormwater permit compliance enterprise funds from other funds as proposed by both the House and Senate.

LOTTERY AND CHARITABLE GAMES ENTERPRISE FUND

The conference agreement includes \$232,881,000 for the lottery and charitable games enterprise fund from other funds as proposed by both the House and Senate.

SPORTS AND ENTERTAINMENT COMMISSION

The conference agreement includes \$20,510,000 for the sports and entertainment commission, including \$5,000,000 from Federal funds appropriated earlier in this Act for implementation of the Anacostia Waterfront Initiative and \$15,510,000 from other funds as proposed by the Senate, instead of \$15,510,000 from other funds as proposed by the House.

The conferees note that the District of Columbia has developed plans for the design and construction of a Regional Sports Complex at Kenilworth Park, NE., Washington, D.C., a portion of which is owned by the National Park Service. The site, an area of approximately 50 acres, was a District landfill until the late 1960's when the landfill was capped.

The National Park Service has conducted a Preliminary Assessment/Site Investigation and a Remedial Investigation/Feasibility Study at the site. The latter study is in draft and has been coordinated with the District and the Environmental Protection Agency (EPA) Region III. As a result of regulatory reviews, the District has requested a Human Health Risk Assessment from the Centers for Disease Control and Prevention and the EPA Region III has extensive comments that will result in further investigations and require at least a year or more to complete.

The conferees urge the District of Columbia, specifically the D.C. Department of Recreation and D.C. Sports and Entertainment Commission to work

with the National Park Service to develop a land use plan for the development of Kenilworth Park that could be implemented in conjunction with remediation and report the results of that effort to the Committees on Appropriations of the House of Representatives and Senate no later than six months after enactment. The conferees recognize that before any plan can be implemented for this site, the environmental investigations and subsequent remediation will have to be completed.

DISTRICT OF COLUMBIA RETIREMENT BOARD

The conference agreement includes \$13,388,000 for the District of Columbia retirement board from other funds as proposed by both the House and Senate.

WASHINGTON CONVENTION CENTER ENTERPRISE FUND

The conference agreement includes \$78,700,000 for the Washington convention center enterprise fund from other funds as proposed by both the House and Senate.

NATIONAL CAPITAL REVITALIZATION CORPORATION

The conference agreement includes \$6,745,000 for the National capital revitalization corporation from other funds as proposed by both the House and Senate.

CAPITAL OUTLAYS

(INCLUDING RESCISSIONS)

The conference agreement includes \$671,020,000 for capital outlays, including \$555,097,000 from local funds, \$48,132,000 from Highway Trust funds, \$321,782,000 from Federal funds, and a rescission of \$253,991,000 from local funds appropriated under this heading in prior years, instead of \$666,367,780, including \$538,096,996 from local funds, \$48,131,855 from Highway Trust funds, \$334,130,057 from Federal funds, and a rescission of \$253,991,128 from local funds appropriated under this heading in prior years as proposed by the House, and \$981,527,780, including a rescission of \$253,991,128 from local funds appropriated under this heading in prior years as proposed by the Senate.

The conference agreement includes \$2,000,000 from Federal funds appropriated earlier in this Act to repair, renovate, and rehabilitate fire stations in need of capital improvements; \$2,800,000 from Federal funds appropriated earlier in this Act to continue improvements on the historic Potomac Southwest Waterfront; and \$10,150,000 from Federal funds appropriated earlier in this Act for capital development, of which \$150,000 is for renovations at Eastern Market and \$10,000,000 is for the Unified Communications Center. The conferees request that a report on the activities carried out with these funds be submitted to the Committees on Appropriations of the House of Representatives and Senate by April 30, 2003.

TITLE III – GENERAL PROVISIONS

The conference agreement changes several section numbers for sequential purposes and makes technical revisions to several provisions.

The conference agreement retains Sec. 105 as proposed by the Senate. The House proposed to make this section permanent law.

The conference agreement makes Sec. 108 permanent law as proposed by the House. The Senate bill contained no similar provision.

The conference agreement amends Sec. 112 to require the Mayor report to the Committees on Appropriations of the House of Representatives and Senate, as well as the Council, the new fiscal year 2003 revenue estimates as proposed by the House. The Senate bill contained no similar provision.

The conference agreement retains Sec. 113 as proposed by the Senate. The House proposed to make this section permanent law.

The conference agreement amends Sec. 120(b) to require the Chief Financial Officer of the District of Columbia to submit, by March 1, 2003, an inventory of all vehicles owned, leased or operated by the D.C. government. The House had a similar provision, but required the inventory by November 15, 2002. The Senate bill also contained a similar provision, but required the inventory by February 5, 2003.

~~The conference agreement includes Sec. 124 to prohibit~~

Insert A

insert A

The conference agreement includes Sec. 124 as proposed by the House to prohibit the use of any funds contained in this Act for needle exchange programs. The Senate bill included a provision to prohibit the use of Federal funds contained in this Act for needle exchange programs.

The conference agreement amends Sec. 129 to require the Mayor to address access to substance and alcohol abuse treatment and consult with District of Columbia Public Schools and District of Columbia public charter schools on education reporting as proposed by the House. The Senate bill contained a similar provision, but it addressed only drug abuse treatment and required consultation with District of Columbia Public Schools only.

The conference agreement includes Sec. 130 to require a revised appropriated funds operating budget no later than 30 calendar days after the date of enactment of this Act as proposed by the Senate. The House had a similar provision, but required the revised operating budget no later than 30 days after date of enactment of this Act.

The conference agreement includes Sec. 132 to prohibit any Federal funds in this Act from being transferred to any department, agency, or instrumentality of the United States Government, except pursuant to authority in an appropriations Act as proposed by the House. The Senate bill contained no similar provision.

The conference agreement includes Sec. 133 to allow the District government to pay the settlement or judgment of a claim or lawsuit in an amount less than \$10,000 as proposed by the Senate. The House had no similar provision.

The conference agreement includes Sec. 137 to allow local funds appropriated under this Act to be available for use by the Office of Labor Relations

and Collective Bargaining to reimburse the cost of providing representation as proposed by the House. The Senate bill contained a similar provision, but allowed all funds appropriated under this Act to be used for this purpose.

The conference agreement includes Sec. 138 to amend the United States Code and the D.C. Code to allow District of Columbia court employees to participate in the Federal long-term care insurance program as proposed by the Senate. The House had no similar provision.

The conference agreement includes Sec. 139 to transfer \$560,000 of funds made available to the District of Columbia courts in the fiscal year 2002 appropriations Act to the District of Columbia Child and Family Services Agency for child abuse services as proposed by the Senate. The House had no similar provision.

The conference agreement amends Sec. 140 to require a report from the Comptroller General no later than June 2, 2003 providing a detailed analysis of the national effort to establish adequate charter school facilities, including a comparison of the efforts in the District of Columbia. The Senate bill contained a similar provision, but required the report no later than April 1, 2003. The House had no similar provision.

The conference agreement includes Sec. 141 to require the Mayor and Council to conduct an assessment of all buildings currently held in surplus and

those that might be made available within one year of the date of enactment of this Act as well as a plan for occupying at least 50 percent of the space available at the time the report is submitted, which is within 180 days of enactment as proposed by the Senate. The House had no similar provision.

The conference agreement includes Sec. 142 to require the Mayor to establish and fulfill specific performance measures in administering funds provided under the heading "Federal Payment for Incentives for Adoption of Children," in Public Law 106-113 as proposed by the Senate. The House had no similar provision. The conferees are concerned that funds provided in 1999 to the District of Columbia government to promote the adoption of children have yet to be expended. The conferees supported the extension of the availability of funds in 2000 and the expansion of the purpose for which the funds may be used in 2001. However, the funds have still not met their original intent, to increase adoption of children in the foster care system in the District of Columbia. The District of Columbia shall submit quarterly reports on the expenditure of these funds and the implementation of the performance measures to the Committees on Appropriations of the House of Representatives and Senate.

The conference agreement includes Sec. 143 to establish an Office of Public Charter School Financing and Support and a Direct Loan Fund for Charter School

Improvement within the District of Columbia as proposed by the Senate. The House had no similar provision.

The conference agreement includes Sec. ~~134~~ to amend the District of Columbia School Reform Act of 1995 to establish a Charter School Fund and transfer \$5,000,000 from this fund into the credit enhancement revolving fund as proposed by the Senate. The House had no similar provision.

*Insert
B-1
B-2* ~~The conference agreement - attorney fee cap and Sec. 10~~

The conference agreement does not include a provision as proposed by the Senate to require District of Columbia Public Schools to conduct the evaluation and, if necessary place the student in an appropriate program of special education services 120 days from the time a student is referred for evaluation or assessment. The House had no similar provision.

The conference agreement does not include a provision to prohibit any person or entity that violates the Buy American Act from receiving funds appropriated in this Act as proposed by the Senate. The House had no similar provision.

The conference agreement does not include a provision to amend the District of Columbia Home Rule Act to conform deposit dates of the emergency and contingency reserve funds as proposed by the House. The Senate bill contained no similar provision.

Insert B-1

The conference agreement includes Sec. 144 as proposed by the Senate to prohibit the use of any funds in this Act to pay the fees of an attorney who represents a party in an action or any attorney who defends any action, including an administrative proceeding, brought against the District of Columbia Public Schools under the Individuals with Disabilities Education Act in excess of \$4,000 for that action or to pay the fees of an attorney or firm whom the Chief Financial Officer of the District of Columbia determines to have a pecuniary interest, either through an attorney, officer or employee of the firm, in any special education diagnostic services, schools, or other special education service providers. The House had no similar provision.

The conference agreement includes Sec. 145 as proposed by the Senate to require attorneys in special education cases brought under the Individuals with Disabilities in Education Act (IDEA) to: certify in writing that the attorney rendered any and all services for which they receive rewards; require all attorneys in IDEA cases to disclose any financial, corporate, legal, membership on boards of directors, or other relationships with any special education diagnostic services, schools, or other special education service providers to which attorneys have referred any clients; require the Chief Financial Officer of the District of Columbia to prepare

Insert B-Z

and submit quarterly reports on the certification of and the amount paid by the District of Columbia government, including the District of Columbia Public Schools, to attorneys in cases brought under IDEA; and allow the Inspector General of the District of Columbia to conduct ~~investigates~~ to determine the accuracy of the certifications. The House had no similar provision.

Investigations

The conference agreement does not include a provision to require the District of Columbia to submit a revised financial plan and budget for the District government for fiscal year 2003 not later than October 2, 2002 as proposed by the House. The Senate bill contained no similar provision.

CONFERENCE TOTAL--WITH COMPARISONS

The total new budget (obligational) authority for the fiscal year 2003 recommended by the Committee of Conference, with comparisons to the fiscal year 2002 amount, the 2003 budget estimates, and the House and Senate bills for 2003 follow:

New budget (obligational) authority, fiscal year 2002.....	\$	607,415
Budget estimates of new (obligational) authority, fiscal year 2003.....		378,752
House bill, fiscal year 2003.....		517,000
Senate bill, fiscal year 2003.....		512,000
Conference agreement, fiscal year 2003.....		512,000
Conference agreement compared with:		
New budget (obligational) authority, fiscal year 2002.....		-95,415
Budget estimates of new (obligational) authority, fiscal year		
2003.....		+133,248
House bill, fiscal year 2003.....		-5,000
Senate bill, fiscal year 2003.....		---